

Claim 25 (Original):

The method of claim 22, wherein the changed biological function is a function which is enhanced as a result of step a).

REMARKS

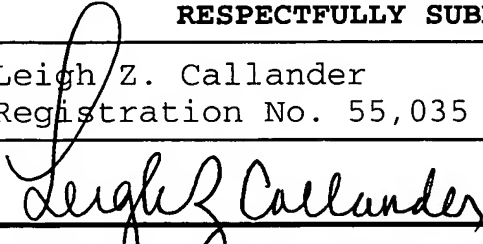
Claim 1, 3-7, 9-14, 16, and 18-25 currently are pending in this application. Claim 6 has been amended herewith. In response to the Restriction Requirement dated April 13, 2004, Applicants elect Group I, claims 1, 3-5, 7, 9-13, and 19-21, with traverse, and request reconsideration of the requirement in light of the above amendment and the following remarks.

The Office has divided the claims of this application into five groups. The Office has indicated that the inventions listed as Group I-V do not relate to a single general inventive concept under PCT Rule 13.1, because, under PCT Rule 13.2, they lack the same or corresponding special technical feature.

Specifically, the Office argues that the DNA of Group I (claims 1, 3, 5, 7, 9-13 and 19-21) would not necessarily encode the protein of Group III (claims 6, 14, and 16). Applicants amended claim 6, and as amended, the DNA of Group I encodes the protein of Group III. Applicants submit that this amendment has obviated the Examiner's reasons for requiring a restriction.

Furthermore, Applicants submit that all five groups do form a single general inventive concept, are clearly part of the same invention, and should be examined together. The claims share the recitation of nucleic acids or proteins as in SEQ ID NO:1, SEQ ID NO:2 or nucleic acids which hybridize under defined conditions to these sequences, along with their use. Specifically, the inventions of Groups I and III share the special technical feature since SEQ ID NO: 1 encodes the amino acid of SEQ ID NO:2 and the claims encompass these nucleic acids or nucleic acids which hybridize under defined conditions. The invention of Group I shares the same special technical features of SEQ ID NO: 1 and SEQ ID NO: 2 with the invention of Group II. Similarly, the invention of Group III shares the same special technical feature of SEQ ID NO: 2 with the invention of Group IV. Finally, the invention of Group V recites the same special technical feature of SEQ ID NO: 1, a feature which is shared with the invention of Group I.

Therefore, these five groups clearly relate to a single general inventive concept under PCT Rule 13.1. In view of the above amendment and remarks, Applicants respectfully request reconsideration of the requirement for restriction for the reasons discussed above and request favorable consideration of claims 1, 3-7, 9-14, 16, and 18-25 on the merits.

RESPECTFULLY SUBMITTED,					
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